

HISTORIC DISTRICT COMMISSION
PUBLIC MEETING
Town Hall
Provincetown, MA
WEDNESDAY, SEPTEMBER 18, 2019

Members Present: Thomas Biggert (TB), Chairman, Pilgrim Monument Rep.; Laurie Delmolino (LD), Historical Commission Rep.; John Dowd (JD), PGB Rep.; Michela Carew-Murphy (MCM), Alternate; Martin Risteen (MR), Alternate.

Excused Absence: Hersh Schwartz (HS), Chamber of Commerce Rep.; Christopher Mathieson (CM), PAAM Rep.

Others Present: Annie Howard (AH), Building Commissioner.

Work Session: VOTES MAY BE TAKEN

1. Update on potential violations reported to the Building Commissioner.

633 Commercial St.

AH said there is a stop-work order pertaining to work done by a painter working in PVC with no application on file; painter would be in to speak with the staff on September 19th.

570 Commercial St.

AH reported that the side-walls have been removed from the front of the building without the benefit of application, but that one would be forthcoming.

2. Determination as to whether the applications below involve any Exterior Architectural Features within the jurisdiction of the Commission; with Full Reviews to be placed on the Public Hearing agenda of October 2, 2019, and Administrative Reviews to be acted on by a subcommittee appointed by the Commission.

TB made a motion to consider the following for Administrative Review:

9 Conwell St., U1; 620 Commercial St.; 175 Commercial St.; 199 Bradford St.;

MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.

TB made a motion to consider the following for Full Review:

577 Commercial St.; 225 Commercial St. 118 Bradford St.

MCM seconded the motion and it passed, 4-0-0; TB, MCM. JD, MR.

AH revealed that 286 ½ Bradford Street had not gotten materials in for review and TB determined that the decision would be continued in any case.

i) 9 Conwell St., #U1 – To replace windows.

TB asked if the Board was alright with 1-over-1 vinyl window replacements, which MR noted appears in the application as like-for-like. No one was available to present.

TB made a motion to continue to decision to the meeting of October 2, 2019. JD seconded the motion and it passed, 4-0-0; TB, JD, MCM, MR.

- ii) 620 Commercial St. – To replace windows in kind, re-side and repair porch decking.
 Elise Kaufman-Henchy presented with a 3-D model, Architect Reserve.
 TB noted deck to match existing with wood and trim to remain in place. Ms. Kaufman-Henchy said just the decking would be replaced, no rails.
 TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.
- iii) 175 Commercial St. – Remove and replace an asphalt and rubber roof.
 Vincent Jameson and Timothy D. Klink of Coastal presented.
 TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.
- v) 6A Cook St. To extend a Certificate of Appropriateness, **HDC 19-060**; to alter windows and doors that are not visible from the street.
 TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.
- vi) 199 Bradford St. – To replace clapboards with cedar shingles.
 Angela McCarthy presented.
 AH requested TB read through the application, then noted Ms. McCarthy had another application that would be before the Board in time.
 TB made a motion to approve as presented. JD seconded the motion and it passed, 4-0-0; TB, JD, MCM, MR.

3. Any other business that shall properly come before the Commission:

25 Standish Street

Hal Winard presented for the family; said the request is to strip and replace the south-facing front of the building, trim to stay the same.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.

4. Public Comments: On any matter not on the agenda below.

None.

5. Public Hearing: VOTES MAY BE TAKEN

a) **HDC 19-270** (continued from the meeting of Sept. 4th)

Application by **William N. Rogers, II**, on behalf of **New Hop Holdings, LLC**, requesting to renovate a structure, including putting a one-story addition on the first floor to replace an existing outdoor stair entrance, extending a first floor deck on the east elevation and adding egress stairs, and adding two dormers and a new second floor inset deck on the south elevation at the property located at **429 Commercial Street**.

Lester J. Murphy, Jr., Attorney, and Gary Locke, presented.

MCM recused herself, having not sat on the case. A poll was taken and all three sitting board members including TB, JD, and MR said they would be in favor of the plans.

Mr. Lock went through the design changes to the front on plans dated August 14, 2019 and said they would look at options for the fire code door.

TB suggested there might be more creative solutions to the garbage storage area fencing; asked if it could look like an addition to the building. Mr. Lock said they felt this was the best compromise as there's already a fence in place and this design would best blend in as it hides all the kitchen equipment. TB said privacy fences are not permitted on Commercial Street.

MCM said exceptions are sometimes made for commercial businesses regarding fence heights and design. TB said overall the revamp is a vast improvement, with a bar upstairs.

JD asked per the choice of French doors, which Mr. Lock said are 15-light, Andersons. JD recommended a full-view door with a higher kick-plate, to which Mr. Lock said they could accommodate something with a higher kick plate at the bottom, no grills, and a brass plate.

JD asked if the skylights could be eliminated on the front, to which Mr. Lock said was not an option for them as they needed to maintain the atrium space.

TB made a motion to approve with the condition that the entry doors be single-lite, full view doors with a higher kick-plate. JD seconded the motion and it passed, 3-0-0; TB, JD, MR.

LD arrived to the meeting at 4:15pm.

b) **HDC 20-002**

Application by **Susan Peskin** requesting to add a fence on the property located at **594 Commercial Street**.

Susan Peskin and Linda Lisbon, abutter, presented. Ms. Peskin confirmed she was replacing a fence and adding a front section that wasn't there previously.

TB displayed a photograph of a lattice-fence section and said this was not in the HDC bylaws. MR stated that it was already built and JD said he felt it more historic than a solid plank fence. LD said the point position was in violation as it starts before ten feet from the front, but MR said there would need to be an exemption as it is already built.

Ms. Lisbon said she felt it was a big improvement; is quaint and fits the neighborhood beautifully.

TB read three letters in support from Janet G. Pumphrey at 596 Commercial St., #3; Doug Hughes at 599 Commercial St.; and David Taylor at 592 Commercial St.

TB remarked that the applicant seems to have deliberately left out the objectionable component of the application, to which the applicant said she did so as she wasn't sure what to include and that the abutters are all happy with the change. TB related the need for complete disclosure.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-1: MCM, LD, JD, MR, in favor; TB abstained.

JD spoke about an aesthetic preference for the transparency fence over the standard plank fence which LD agreed might be more neighborly.

c) **HDC 20-018** *(continued from the meeting of September 4th)*

Application by **Lester J. Murphy, Esq.**, on behalf of **Robert Silva**, requesting to demolish an existing single-family structure and construct a new two-family structure on the property located at **5 Conwell Street**.

Lester J. Murphy and Robert Silva presented. Mr. Murphy said the existing pre-fab house was built by Mr. Silva in the 1960s; referenced Mr. Silva's previous appearance before the HDC in November and December of 2018 wherein he sought guidance for the proposed demolition of the building; said the new structure will have the same size footprint but will be moved slightly to remove a set-back encroachment and for a staircase; dimensions given as 18' x 20' with new height at 24 ½' high; other elements include white cedar shingles, wood trim, barn style door.

LD recused herself, stating she was not at the last meeting.

TB read the Mullin Rule as signed by JD, MCM, MR.

Ted Smith, architect, spoke from the public requesting clarity on what constitutes a demolition in the purview of the HDC. MCM said any demolitions approved by the HDC are exceptions as the HDC in general does not allow demolitions and that in watching tape of past sessions, suggested the Board felt a bit hoodwinked by the way demolitions have been presented; but that, in this case, approval was given to the demolition request and, as such, should be honored.

MR noted that designation of the property as historic along with location status had gone into the decision to grant demolition; said he had some concerns about the height.

Mr. Smith said objections should be that the property is in the Historic District, as well as the size and the age of the building. JD said that just because a building is over 50 years old doesn't mean it can live through eternity; that a building's contributing status comes into play as well as other factors.

TB spoke out strongly in terms of what he felt was the importance of the building's historic integrity and that what is built should retain the character of the original. MCM disagreed with TB's determination regarding the property at hand.

TB made a motion to approve demolition of the cottage. MCM seconded the motion and it passed, 3-1-0; MCM, JD, MR, in favor; TB, opposed.

Deliberations on Design Plans

JD spoke of the lack of privacy invited by French doors or sliders, suggested a single door as more in keeping with historic protocol. Lester Murphy asked if a half-lite would be acceptable. Mr. Silva said the new house will be year-round, have new insulation, plumbing, full basement and be an asset to the Town.

JD suggested the post to the deck support be aligned with the edge of the rail. AH asked if there were issues with septic, which Mr. Silva said there were not.

MCM said she agreed with the comments in general and was happy with the design. TB said he questioned the gambrel roof and asked if the height could come down a bit with simpler trim and look more cottage-like. Mr. Silva said the corner-boards could be removed, but TB said he felt that wouldn't alleviate his objection.

Mr. Silva approached the panel to consider design alternatives. MR said he was comfortable with Mr. Silva's design proposal.

TB made a motion to approve with the condition that there be a single door on the front elevation with a single door to the right and a single window and the post aligned under the right deck. MCM seconded the motion and it passed, 3-0-1; MCM, JD, MR, in favor; TB, abstained.

d) HDC 20-027

Application by **Ted Smith, Architect, LLC**, on behalf of **Tom Tannariello**, requesting to replace and relocate windows and extend a front porch on Units 1 and 2 and to add a basement and second floor, extend side wings, construct a new deck and replace and relocate windows on Unit 3 on the property located at **420 Commercial Street**.

Ted Smith and Tom Tannariello presented. Mr. Smith gave background on the two structures of the property; one closest to the street is from 1830-1850 with updated work on the dormer and balcony circa 1979; rear structure dates to 1960-1980 and is non-contributing; said both structures are under review per the application.

Mr. Smith described the changes proposed in current plans when contrasted to the plans of July 25th on the front building, including window change-out to 6-over-6, double-hung; said an error exists on the current plans per the deck, but that it is drafted to run the full-length of the front to the corner-board; noted a request to remove what he said was a ginormous fireplace, but the center, original chimney would be kept; porch to be retained and extended on the east elevation, balcony removed; sliding windows to be replaced on the west elevation with 2-over-2, double-hung; windows on front to be 6-over-6, door moved slightly.

No public comments or letters.

LD said Mr. Smith had done a great job on the front of the house and had no comments; questioned over-sized window on the east side but understood it being needed for egress. MCM concurred and said she appreciated the thoughtfulness of the plans. JD said he appreciated the restoration back to a three-quarter Cape, including 6-over-6s. MR also said he

liked the removal of the large chimney and retention of the other. TB said he agreed with everything as stated, but added that he liked the balcony and suggested embracing quiriness.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, JD, MR.

Rear Structure

Mr. Smith described the rear building as a challenge and an intervention, cited 7'6" ceilings, knotty pine and a darkened interior; bathroom shoe-horned into the back and a barely functioning kitchen; said they were looking to add a basement and second story.

MR expressed his concern at adding a full two-story to the property and wondered if the height was too much addition, asked after the footage. Mr. Smith said the front is 22 and the rear 28.

LD said she had concern over the height and how it alters the cottage-look of the structure, which MR concurred and said it was an issue of subordination. TB said the corner-boards and rake-boards were all too big. Mr. Smith suggested the entrance steps could be taken down, to which Mr. Tannariello cautioned could not affect the water table.

AH quoted 1.3' as a pre-existing, non-confirming set-back; proposed addition is 1'7".

MCM suggested the rear structure would not loom as large as feared upon completion based on its setting in the neighborhood. TB recommended a shed-dormer on the third floor as opposed to a hip-roof to give better slope and scale.

HDC deliberated conditions to the approval, including amendments to the height. Mr. Tannariello spoke of the height of the proposed structure as it relates to Mr. Smith's own property, to which Mr. Smith said he had had original concerns, but that the design had grown on him. LD requested a number the applicant could work with in terms of reduction; said she would still like the height to drop down a bit and that the corner-boards as presented made something too grand. MCM said she would approve as it, displayed a photo on her phone of the corner-boards on a neighboring building, to give perspective.

AH said there were no letters on file, for or against. Mr. Smith suggested there might be a letter of support forthcoming.

TB made a motion to approve as presented with the condition that the trim be simplified at the top of the window as flat trim with no molding. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, JD, MR.

e) **HDC 20-029** (continued from the meeting of September 4th)

Application by **William N. Rogers, II, P.E., P.L.S.**, on behalf of **Enco Realty, Inc.**, requesting to renovate a structure, including replacing existing windows and doors on two elevations, adding two dormers, constructing an entry deck and stairs covered by a shed roof, replacing roofing and siding shingles and removing an existing brick chimney at the property located at **32 Bradford Street**.

Lester J. Murphy, Jr. Esq., Gary Lock of Coastal Engineering and Len Enos, presented.

LD recused herself from the case.

Mr. Murphy described the changes previously proposed as including a change of stairs, which were later determined to present problems and have now been altered in design. Mr. Lock said the new plan had reduced the structure by three bedrooms to allow for the interior stair, inset dormers, retaining existing trim and foundation; brick to support new shed roof.

Phillip Wilson, direct abutter at 34 Bradford St., said he supported the revised plan. AH reported a letter in support from Al Collins, an abutter.

JD said he was in favor with the exception of the angling on the Italianate bracketing, to which Mr. Lock agreed. TB lamented the loss of a chimney, which Mr. Lock said was in poor shape and non-descript. MCM agreed the chimney was in poor shape and congratulated the applicant for trying to make changes as minimal as possible. JD said that while chimneys were expected to be maintained he was okay with the elimination in this case based on the position

of the dormers and MR said he'd be inclined to approve the loss of the chimney as it had been approved as such by past boards and was also in favor of the Provincetown Door.

TB made a motion to approve as presented. MCM seconded the motion and it passed, 4-0-0; TB, MCM, JD, MR.

f) **HDC 20-033**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Jay Anderson**, requesting to add a fence on the property located at **51 Commercial Street, Front**.

Leif Hamnquist presented; addressed the two jogs on the easterly side which, he said, appear a bit odd but were designed as such based on the adjoining properties.

MCM recused herself from the case.

TB made a motion to approve as presented. LD seconded the motion and it passed, 4-0-0; TB, LD, JD, MR.

g) **HDC 20-039**

Application by **Henry F. Pihl & James Rifino** requesting to elevate a structure, add, replace and relocate windows and doors, replace wood shingles, extend a dormer on the east elevation, add a second floor extension in the rear, and renovate a roof light at the property located at **8 Bradford Street**.

Harry Phil, Michelle Waldon and Sean A. Curran, Architect, presented.

Mr. Curran explained the plan was to convert a multi-family home into a single-family structure, including window and door replacements, raising the building to aid in drainage issues and also to include living space on the lower level. Mr. Phil said a new foundation would provide for a basement,

TB read a letter in support from Matthew Metevier and Richard Sessa, at 7 Bradford St.

TB asked for clarity on the proposed roof which he said was missing from the packet and LD asked for the total elevation, which was cited as under 3.'

JD said he was glad that the design called for a return to a single-family home, but took issue with the window change-out, recommended 6-over-6s with acceptable sash and said that changes to the door openings were also potentially problematic. Mr. Phil said they had no issue changing the windows to 6-over-6s.

TB said there were issues with the windows on the Cottage Street elevation, but appreciated the continuation of the shed dormer. JD agreed but suggested a simpler, doghouse dormer. Ms. Waldon said these windows could change as well to the HDC'S specifications. TB noted that all four sides of the house were fairly visible from a public way.

LD noted the rear elevation is very visible from Cottage St. and also very contemporary. TB observed a lot of glass, which MR concurred.

Mr. Curran suggested window change-outs which would better facilitate leaving French doors and that the HDC agreed would be acceptable; gable ends were discussed.

TB suggested continuing the decision based on the number of conditions proposed and the narrative of materials being proposed, including Hardie Board, synthetic cedar shingles and Azec. AH mentioned that Enviro Shingles have been found acceptable to which LD said the Board would need to see the model of environmental board in hand to determine its acceptability. Ms. Waldon said they were hoping to employ a fiber-cement wood, which LD said it is not an accepted material.

Mr. Curran asked per the window wells on the basement level, which Ms. Waldon said were to be egress windows and the HDC agreed were acceptable if all are properly needed.

JD listed conditions for approval as follows: All original window sizes on front facade to remain as 6-over-6; no elimination of the original doorways; (3) 6-over-6 double-hung windows in the front dormer; elimination of doghouse dormer within the shed dormer with single sash six-lites and windows underneath to be 6-over-6 on Cottage St. side; retain three sliders and (2) doors below it; east-side windows will match the front; (3) banks of windows to become (2)

6-over-6s, spaced enough to have shutters open and close as historically accurate; driveway side to feature (4) windows on SW elevation, all as 6-over-6s, to match front façade.

Discussion of potential comprises continued regarding stairs, door placement, roof line.

TB made a motion to continue the decision to the meeting of October 2, 2019. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, JD, MR.

Applicant was given a copy of the proposed conditions as annotated by LD, including a request that all trim be wood.

h) **HDC 20-040**

Application by **Sean A. Curran, Architect**, on behalf of **Michael J. Goff**, requesting to replace and relocate windows and doors on all facades; to add shed dormers on the east and west facades; to construct a second-floor covered addition, and expand an existing deck on the rear façade; to expand a rear roof deck, adding an integrated access stairway, and add a ground-level deck on a rear addition, and to replace trim, siding and roofing shingles, add a new gate, and repair existing foundations, adding flood vents, on the structure at the property located at **120 Commercial Street**.

Sean Curran and Michael Goff presented.

Mr. Curran described the design plan as returning the building features to what was more historically accurate and to make the structure more pleasant; proposing to not raise the main part of the building and place a dry well under the commercial side of the space for drainage, other areas raised 3' by FEMA regs; keeping footprint; new windows in retail space; two shed dormers on third floor, one on each side; proposed sky lights to capture views of the Pilgrim Monument; front façade to use shaker shingles, proposing a return to original clapboard; simplifying 2nd level, folding nano-door; retaining balcony deck on third floor with new, French doors; explained raised window on ground floor as aligning with other windows on elevated portion of bottom structure; suggested from photos provided that the building is well hidden.

No public comments or letters.

MR thanked Mr. Curran for his presentation and said he felt the design is well-done. TB said he appreciated the completed packet, as did MCM who spoke of an issue with the cable railing, which she said, is only permitted on the water-side. Mr. Curran passed around a design of the cable-railing which MCM, LD and TB said they could not approve based on visibility.

JD asked the HDC if it might consider alternatives to the guidelines where the existing design could give a good argument against employing traditionally historic elements like picket fencing onto a more modern structure and possibly approving cable railing in the same context.

After full discussion on the acceptability and alternatives to cable railing, the Board said it could be accepting of horizontal wood slats with 4 ½"-spacing.

Mr. Curran made the case for the larger-sized skylight as giving better views of the Monument and re-locating the unit would compromise the interior plans, per storage.

TB made a motion to approve with the condition that the railing system be all wood with captured balusters. MCM seconded the motion and it passed, 5-0-0; TB, MCM, LD, JD, MR.

JD left the meeting at 7:30pm.

6. Review and approval of Minutes:

TB made a motion to approve the meeting minutes of June 19, 2019. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.

7. Deliberations on Pending Decisions: VOTES MAY BE TAKEN

1. TB made a motion to approve the September 18, 2019 decision of **HDC 20-029; 32 Bradford Street**, written and read into record by MCM. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.

2. TB made a motion to approve the September 18, 2019 decision of **HDC 20-027; 420 Commercial Street**, written and read into the record by MCM. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.
3. TB made a motion to approve the August 7, 2019 decision of **HDC 20-006; 19 Winthrop Street**, written by JD and read into the record by MR. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.
4. TB made a motion to approve the September 4, 2019 decision of **HDC 20-028; 225 Commercial Street**, written by HS and read into the record by TB. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.
5. TB made a motion to approve the September 4, 2019 decision of **HDC 20-016; 7 Conway Street**, written by HS and read into the record by TB. MCM seconded the motion and it passed, 4-0-0; TB, MCM, LD, MR.
6. TB made a motion to approve the September 4, 2019 decision of **HDC 20-026; 10-12 West Vine Street**, written and read into the record by TB. LD seconded the motion and it passed, 4-0-0; TB, LD, MCM, MR.

AH asked per the status of the demolition delay at 21 Off Cemetery which LD recommended putting on the agenda for discussion; October 2, 2019 was selected as agenda date.

Today's decisions to be written as follows:

TB: **HDC 20-033. 51 Commercial Street, Front**; LD: **HDC 20-040; 120 Commercial Street**;
MR: **HDC 20-002; 594 Commercial Street**.

AH raised the issue of HDC'S approval of new window replacements that are dubious in terms of wood aspect or vinyl clad and said she needed proper guidance in order to correctly advise applicants. TB said the Board needed to see window samples to be better informed.

Plans emerged for **HDC 20-018; 5 Conwell Street**, to be written by TBD.

TB made a motion to adjourn the meeting at 8:05pm. LD seconded the motion and it passed, 4-0-0; TB, LD, MCM, MR.

Respectfully Submitted,
Jody O'Neil